

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
(Charlotte Division)

In re:)	
)	
Joshua and Andrea Farmer)	Chapter 11
)	Case No. 10-40270
Debtors.)	
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In re:)	Jointly Administered
)	
Raymond and Diane Farmer)	Chapter 11
)	Case No. 10-40269
Debtors.)	
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**AFFIDAVIT OF ANDREW T. HOUSTON
IN SUPPORT OF THE EMERGENCY MOTION OF
THE DEBTORS TO SURCHARGE COLLATERAL**

ANDREW T. HOUSTON, first being duly sworn, deposes and says:

1. I am an attorney licensed to practice law in the State of North Carolina and the Commonwealth of Pennsylvania.
2. I am a partner in the law firm of Moon Wright & Houston, PLLC. The firm is employed as counsel for the Debtors in the above-captioned cases.
3. I am over the age of 18 and otherwise competent to make this affidavit. The facts set forth herein are true and are based on my personal knowledge, except those matters and things alleged upon information and belief, and as to those matters, I believe them to be true.
4. This affidavit is submitted in support of the *Emergency Motion of the Debtors to Surcharge Collateral Pursuant to 11 U.S.C. §506(c)*(the "Motion"). In the Motion, the Debtors seek to surcharge certain secured lenders' collateral to recover the costs incurred liquidating the secured creditors' collateral, as well as the increase in quarterly fees payable under 28 U.S.C. §1930 as a result of the cash sale of the East Ridge Apartments Assets and the Meadow Green Apartment Assets.

5. In connection with conducting the auction in these cases, the undersigned counsel for the Debtors coordinated all matters related to the auction including, without limitation, the following: (i) preparation of all pleadings, motions and orders, (ii) fielding telephone calls from potential bidders and/or their respective brokers and agents, (iii) coordinating the dissemination of due diligence materials to potential buyers, which included setting up an information sharing web page; (iv) coordinating site inspections for potential bidders, (v) conducting the auction, and (vi) otherwise overseeing the entire auction process.

6. As a result, the Debtors incurred \$37,380.50 in attorneys' fees liquidating the seven separate sets of apartment complexes for the benefit of the secured creditors. The fees were incurred over the period of April 2011 through June 2011, and were included within the monthly fee applications filed by our firm. The April and May fee applications filed by our firm have been approved by the Court. The deadline to object to our firm's June fee applications expired on Monday June 25, 2011, and no party in interest objected.

7. Itemized invoices identifying the work performed running the auction have been submitted to counsel for the secured lenders for their review in advance of the hearing on the Motion.

Further this Affiant sayeth not.

This the 26th day of July, 2011.

/s/ Andrew T. Houston
Andrew T. Houston

Sworn to and subscribed before
me this 26th day of July, 2011.

/s/
Notary Public

My Commission Expires: _____